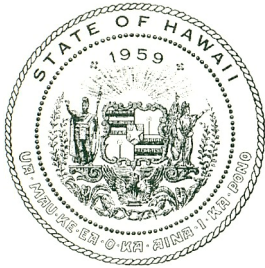


HAWAII  
STATE  
COMMISSION  
ON THE  
STATUS  
OF  
WOMEN



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LESLIE WILKINS

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235 S. Beretania #407  
Honolulu, HI 96813  
Phone: 808-586-5758  
FAX: 808-586-5756

February 24, 2015

To: Representative Karl Rhoads, Chair  
Representative Joy A. San Buenaventura, Vice Chair  
Members of the House Committee on Judiciary

From: Cathy Betts, Executive Director  
Hawaii State Commission on the Status of Women

Re: Testimony in Strong Support of HB 1007, Relating to Motor Vehicle  
Driver Licensing

Thank you for this opportunity to testify in strong support of HB 1007, which creates a limited purpose driver's license, provisional license and instruction permit for Hawaii residents regardless of immigration status. Female immigrants in Hawaii are disproportionately affected by the complete bar on licensure. Women serve as primary caregivers to family members and children, and as such, face real fears when they are required to drive. Particularly in rural areas where public transportation is less accessible, this problem becomes even more apparent.

The Migration Policy Institute reports that one of the top three issues faced by immigrants in Hawaii is the ability to drive safely and legally to work and to provide care for family members, including children. In situations of domestic violence, allowing victims the ability to obtain licensure ensures a path to safety. Women should not be forced into a situation where they must choose between violating a law (by driving a vehicle) and leaving an abusive situation, protecting one's children or obtaining needed healthcare.

HB 1007 would enable immigrants without legal status to obtain appropriate licensure, ensuring that our roads are safer. We urge you to pass HB 1007.

Thank you for your time.





Pauahi Tower, Suite 2010  
1003 Bishop Street  
Honolulu, Hawaii 96813  
Telephone (808) 525-5877

**Alison H. Ueoka**  
Executive Director

## TESTIMONY OF ALISON UEOKA

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COMMITTEE ON JUDICIARY  
Representative Karl Rhoads, Chair  
Representative Joy A. San Buenaventura, Vice Chair

Tuesday, February 24, 2015  
2:00 p.m.

### **HB 1007**

Chair Rhoads, Vice Chair San Buenaventura, and members of the Committee on Judiciary, my name is Alison Ueoka, Executive Director of the Hawaii Insurers Council. Hawaii Insurers Council is a non-profit trade association of property and casualty insurance companies licensed to do business in Hawaii. Member companies underwrite approximately thirty-six percent of all property and casualty insurance premiums in the state.

Hawaii Insurers Council offers comments on this bill. HIC does not object to the intent of the bill, which is to allow those persons an alternative way to obtain a driver's license.

We respectfully request the bill be amended to include a provision for a unique identifier on these types of driver's licenses in order to track data. One simple way to do that would be to change the letter identifier on the Hawaii driver license number without changing the number of fields.

Thank you for the opportunity to testify.



PROTECTING HAWAII'S OHANA, CHILDREN, UNDER SERVED, ELDERLY AND DISABLED

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TO: Representative Karl Rhoads, Chair  
Representative Joy A. San Buenaventura, Chair  
Members, House Committee on Judiciary

FROM: Scott Morishige, MSW  
Executive Director, PHOCUSED

HEARING: **Tuesday, February 24, 2015 at 2:00 p.m. in Conf. Rm. 325**

**Testimony in support of HB1007, Relating to Motor Vehicle Driver Licensing.**

Thank you for the opportunity to provide testimony **in support** of HB1007, which creates a limited purpose driver's license, provisional license, and instruction permit for all Hawaii residents regardless of immigration status. PHOCUSED is a nonprofit membership and advocacy organization that works together with community stakeholders to impact program and policy change for the most vulnerable in our community, including immigrant households.

Many immigrants in Hawaii – including those who are lawfully present and are citizens – are unable to obtain a legal driver's license due to current paperwork requirements. When individuals are unable to obtain a license, yet continue to drive to carry out their daily activities, this places the safety of the community at risk. According to the American Automobile Association, unlicensed drivers are nearly five times more likely to be involved in a fatal car crash than licensed drivers. In addition, unlicensed, uninsured drivers cause damage claims that other policy holders must cover.

Nationally, 11 states, as well as Puerto Rico and the District of Columbia, have enacted legislation that provides access to a driver's license or card regardless of immigration status. Increasing access not only ensures more licensed drivers on the roads, but also results in a decrease in uninsured drivers. Since New Mexico began issuing licenses to undocumented immigrants in 2003, its rate of uninsured motorists fell from 33% to 9%.

Once again, we support HB1007 and believe this bill promotes public safety, and reduces risk for Hawaii's motorists. We appreciate the opportunity to testify on this important issue. If you have any questions, please do not hesitate to contact PHOCUSED at 521-7462 or e-mail us at [admin@phocused-hawaii.org](mailto:admin@phocused-hawaii.org).

To: Representative Karl Rhoads, Chair

Representative Joy A. San Buenaventure, Vice Chair

Members of the House Committee on Judiciary

From: Ellen Owens, Hawaii District United Methodist Women President

**Re: Testimony in Strong Support of SB 1007, Relating to Motor Vehicle Driver Licensing**

With a deep sense of urgency and importance, I write in strong support of HB 1007, which creates a limited purpose driver's license, provisional license, and instruction permit for all Hawai'i residents regardless of immigration status. Currently, the paperwork requirements for licensure mean that many people cannot apply for a driver's license. Driver's licenses are totally unavailable for persons who fail to provide proof of legal status in the United States. This reality threatens the safety of all residents and visitors in Hawai'i, as well as the economic vibrancy of our State.

This bill advances three important issues:

1. HB 1007 makes law enforcement sense. Law enforcement has a compelling interest in licensure for all. A driver's license increases the willingness of immigrant witnesses and victims to cooperate with law enforcement officers and aid in criminal investigations. In addition, police can use their resources more efficiently when drivers have licenses. Every time a police officer stops someone who has no identification, it requires additional manpower to determine the identity of arrestee.

2. HB 1007 encourages economic and social participation. According to the Pew Research Center, at least 3.1 percent of Hawai'i's population, or what amounts to 40,000 workers, cannot furnish proof of legal presence in the United States. These thousands of individuals are unlicensed and, therefore, untested and uninsured. The Migration Policy Institute (MPI) reports that one of the top three difficulties cited by immigrants in Hawai'i is the ability to drive safely and legally to work, church, to run errands, to drop children off to school and drive them to medical appointments. For example, barriers to driver's licenses pose one of the biggest problems for undocumented workers on every island, especially on Maui and the Big Island where public transportation is not as frequent as O'ahu. Women immigrants in particular are disproportionately impacted because they are often the primary caretakers of children. Hawai'i's new legal presence requirements for driver's licenses have also had the unintended — but entirely predictable — consequence of preventing many eligible U.S. citizens and lawfully present immigrants and non-immigrants from obtaining licenses.

3. HB 1007 makes our roads and highways safer. The paperwork requirements for licensure mean that many people cannot apply for a driver's license. Hawai'i driver's licenses are unavailable for persons who fail to provide proof of legal status in the United States. This

reality threatens the safety of all residents and visitors in Hawai'i. By making sure everyone who drives on our roads and highways obtains proper driver education, passes driving tests and vision exams, this bill will promote safer communities, economic participation, and access without fear for those who contribute to our society.

Thank you for the opportunity to provide testimony in support of HB 1007 and for your leadership on this important issue.

Mahalo,

Ellen Owens, President

Hawaii District United Methodist Women

February 21, 2015





To: Representative Karl Rhoads, Chair  
Representative Joy Buenaventura, Vice Chair  
Members of the House Committee on Judiciary

From: Khara Jabola Carolus, Legislative Coordinator, Hawai'i Coalition for Immigration Reform

Re: Testimony in Strong Support of HB 1007, Relating to Motor Vehicle Driver Licensing

On behalf of the Hawai'i Coalition for Immigration Reform, I would like to thank the Committee for the opportunity to testify in support of HB 1007 which would ensure that all motorists in Hawai'i are trained, tested, and licensed, regardless of immigration status. Importantly, this bill also works to further our collective mission to eliminate ancestry and race-based discrimination associated with the denial of basic rights to undocumented immigrants.

The benefit to society in eliminating barriers to driver's licensure far outweighs any justifications for keeping them. The following are key reasons to enact this important measure:

1. HB 1007 increases the safety of our roads and highways.

It is clear that our current law needs to be revised and updated to provide full access to proper certification to all motorists in Hawai'i. AAA found that unlicensed drivers are almost five times more likely to be involved in a fatal crash than licensed drivers.<sup>1</sup> According to the Insurance Research Council, about 11% of all drivers in Hawai'i are uninsured and uninsured motorists increase the probability of fatal car crashes.<sup>2</sup> Ensuring that undocumented immigrants are able to obtain a license is a simple matter of public safety.

2. HB 1007 encourages economic vibrancy and social participation.

Currently, Hawai'i driver's licenses are unavailable for persons who fail to provide proof of legal status in the United States. According to the Pew Research Center, at least 3.1 percent of Hawai'i's population, or what amounts to 40,000 workers, cannot furnish such proof. These thousands of individuals are unlicensed and, therefore, untested and uninsured. The Migration Policy Institute (MPI) reports that one of the top three difficulties cited by immigrants in Hawai'i is the ability to drive safely and legally to work, church, to run errands, to drop children off to school and drive them to medical appointments. For example, barriers to driver's licenses pose one of the biggest problems for immigrants on Maui and the Big Island where public

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<sup>1</sup> *High-Risk Drivers Fact Sheet* (AAA Foundation for Traffic Safety, undated), [www.aaafoundation.org/sites/default/files/UnleashedToKill2.pdf](http://www.aaafoundation.org/sites/default/files/UnleashedToKill2.pdf).

<sup>2</sup> J. Tim Query & Risa Kumazawa, *Examining the Impact of Issuing Driver's Licenses to Undocumented Immigrants* 1 National Association of Insurance Commissioners (2011), [http://business.nmsu.edu/~tquery/research/UM-NM\\_%20FINAL%20JIR%20VERSION.pdf](http://business.nmsu.edu/~tquery/research/UM-NM_%20FINAL%20JIR%20VERSION.pdf).

transportation is not as frequent as O'ahu.<sup>3</sup> Women immigrants in particular are disproportionately impacted because they are often the primary caretakers of children.

Unlicensed, uninsured drivers cause damage claims that other policy holders must cover. If these drivers can get licensed and insured, the cost of covering accidents involving uninsured motorists will decline, and everyone will pay lower insurance rates. Each insured motorist also pays for a portion of the costs for others that drive uninsured. Since New Mexico began issuing licenses to undocumented immigrants in 2003, its rate of uninsured motorists fell from 33% to 9%; This legislation will bring increased revenue into the state and boost the auto insurance and auto sales industries, fuel, and other auto service businesses. Drivers licenses will ensure that people drive safely and legally in order to take care of their families and contribute to the state's economy. As a result of not having a valid drivers license, immigrant community members have trouble accomplishing basic daily tasks such as purchasing groceries.

3. Law enforcement has a compelling interest in licensure for all.

A driver's license increases the willingness of immigrant witnesses and victims to cooperate with law enforcement officers and assist in criminal investigations. Further, police can use their resources more efficiently when drivers have licenses. Every time a police officer stops someone who has no identification, it requires additional manpower to determine the identity of an arrestee. In addition, unlicensed drivers are more likely to leave the scene of a crash than are licensed drivers. For example, many hit-and-runs in California are caused by undocumented immigrants "who flee because they're afraid of being deported and having their vehicles taken because they're driving without licenses."<sup>4</sup> More still, the driver's license database is the largest law enforcement database in the country (containing more information than the IRS database, SS database or state birth certificate databases), thus providing an invaluable police tool. Finally, the bill does not provide a loophole for those drivers whose regular driver's licenses have been revoked, cancelled, or expired.

4. The nation is moving to provide licensure for all motorists, regardless of immigration status.

Since 2013, there has been a significant increase in pro-immigrant efforts to expand access to driver's licenses. Eleven states, plus Washington, D.C., and Puerto Rico, have enacted laws that grant access to a driver's license or card, regardless of immigration status. In 2014, Hawai'i introduced similar legislation but failed to enact the proposed measure.

5. Hawai'i will remain REAL ID compliant.

HB 1007 does not endanger the State's compliance with the REAL ID Act of 2005 and will not lose federal grants or funding with the passing of this legislation. Currently, Hawai'i driver's licenses are unavailable for persons who fail to comply with the requirements of the REAL ID Act of 2005, Pub. L. No. 109-13, § § 201-202. A person who does not submit satisfactory proof that his or her presence in the United States is authorized by federal law cannot operate a motor vehicle in the State of Hawaii. The REAL ID Act, however, specifically allows for states to create non-REAL ID compliant cards in lieu of or in addition to REAL ID compliant driver's licenses. Hawai'i's drivers licenses will remain untouched. Instead, this bill creates a

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<sup>3</sup> Jeanne Batalova, Monisha Das Gupta, & Sue Patricia Haglund, *Newcomers to the Aloha*, MIGRATION POL'Y INSTITUTE 2 (Sept. 2013).

<sup>4</sup> Dennis Romero, *How to Get Away with a Hit-and-Run in Los Angeles*, L.A. Weekly (Dec. 6, 2012) [http://blogs.lawweekly.com/informer/2012/12/hit\\_and\\_run\\_los\\_angeles\\_lapd.php](http://blogs.lawweekly.com/informer/2012/12/hit_and_run_los_angeles_lapd.php).



separate, limited purpose driver's license that conforms with the unique identification requirements of the REAL ID Act.

On behalf of our coalition, I respectfully urge this committee to pass HB 1007. Thank you for the opportunity to testify and for your leadership on this important issue.

Mahalo,

Khara Jabola-Carolus



## CATHOLIC CHARITIES HAWAII

### TESTIMONY IN SUPPORT OF HB 1007: Relating to Motor Vehicle Driver Licensing

TO: Representative Karl Rhoads, Chair, Representative Joy San Buenaventura, Vice Chair, and Members, Committee on Judiciary

FROM: Trisha Kajimura, Social Policy Director, Catholic Charities Hawaii

Hearing: **Tuesday, February 24, 2015, 2:00 PM, Conference Room 325**

Thank you for the opportunity to testify on HB 1007, which will increase access to Hawaii drivers' licenses for people currently ineligible. **Catholic Charities Hawaii supports HB 1007: Relating to Motor Vehicle Driver Licensing.**

Catholic Charities Hawaii (CCH) is a tax exempt, non-profit agency that has been providing social services in Hawaii for almost 70 years. CCH has programs serving elders, children, developmentally disabled, homeless and immigrants. Our mission is to provide services and advocacy to the most vulnerable of the people in Hawaii.

Immigrants are a vulnerable group that CCH has provided services to for many years. The roots of CCH's immigrant services go back to 1944, when four Maryknoll sisters worked out of the back of the Chancery office on Fort Street Mall near Chinatown to attend to the needs of immigrant families and children. Today we provide English language and acculturation classes as well as low-cost assistance with immigration applications. In Hilo, we have an Immigration Resource Center that provides services to help immigrants make the adjustments and gain the skills critical to attaining a productive life in Hawaii.

HB 1007 will help immigrants deal with some of the challenges of daily life and make roadways safer for everyone. It will increase the amount of trained, tested, and insured drivers in our state. 11% of Hawaii's drivers are estimated to be uninsured. These uninsured drivers increase the cost of driving for those of us who follow the law.

HB 1007 will also help to improve the relationship between immigrant communities and law enforcement. Driver's licenses help law enforcement officers perform their jobs more safely, effectively and efficiently. They enable law enforcement officers to identify the drivers they stop, and check the driver's traffic and criminal record. In addition, licenses will assist first responders and health care providers in determining the identity of the person they are assisting.

Additionally, HB 1007 will help people who are not immigrants but who are having difficulty, due to cost or logistics, obtaining the currently required documents for a driver's license. This would include seniors, especially low-income seniors, people transitioning from homelessness, domestic violence victims and disaster victims.

Nationwide, state legislatures are creating and moving legislation to ensure roadway safety for all. These policies are being adopted to decrease the number of unlicensed and uninsured drivers and increase public safety. Eleven states, in addition to Puerto Rico and the District of Columbia, have enacted laws to increase access to driver's licenses.

Thank you for the opportunity to testify, please contact me at (808)527-4810 or [trisha.kajimura@catholiccharitieshawaii.org](mailto:trisha.kajimura@catholiccharitieshawaii.org) if you have any questions.



CLARENCE T. C. CHING CAMPUS • 1822 Ke'eumoku Street, Honolulu, HI 96822  
Phone (808)527-4810 • [trisha.kajimura@catholiccharitieshawaii.org](mailto:trisha.kajimura@catholiccharitieshawaii.org)





**HEALTHYPACIFIC.ORG**

[restoringjusticehi@gmail.com](mailto:restoringjusticehi@gmail.com)

## LEGISLATIVE TESTIMONY

### **HB1007**

RELATING TO MOTOR VEHICLE DRIVER LICENSING

**House Committee on Judiciary**

February 24, 2015

2:00 P.M.

Conference Room 325

Aloha mai kākou,

Mahalo nui loa for the opportunity to testify in **SUPPORT** of **HB1007**, which will improve the safety and economy of our state, while giving a fair shake to some of the most disenfranchised yet economically and socially critical members of our community.

**Denying access to drivers licenses for out-of-status immigrants exacerbates the costly, prejudice-driven social ills that are embedded in federal immigration policies.** As Hawai'i should be amply aware, unjustified xenophobia, prejudice and inherent unfairness has been a historic hallmark of federal immigration policies, which facilitated the great suffering and oppression faced by many of our direct ancestors. Even today, immigration status-related racial discrimination, exploitation and social prejudice continue to plague our most vulnerable immigrant communities, who for the most part seek only to contribute to our society and economy, and ensure better lives for their children and grandchildren. Not surprisingly, the current inability of **our undocumented community members – who support our most critical local industries, pay \$50 million in local taxes and who nationally pay state and federal income taxes estimated at \$11.2 billion dollars annually**<sup>1</sup> -- to obtain drivers licenses reportedly facilitates racial profiling by police officers, and further isolates already marginalized communities from police and other critical social services necessary to ensure the health and well-being of our larger society. The continued incorporation of federal immigration policy into our drivers licensing statute will only add to such unnecessary and unjustified costs to the economy and social

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<sup>1</sup> See Immigration Policy Center, Unauthorized Immigrants Pay Taxes Too (April 18, 2011) available at <http://www.immigrationpolicy.org/just-facts/unauthorized-immigrants-pay-taxes-too>.

fabric of our island home.

**This bill will promote our economic and social well-being, while sending a strong message to Washington, D.C., as well as the continent as a whole.**

By enacting this measure, Hawai'i will promote the security and well-being of our most vulnerable communities, facilitate local economic development that has *always* relied upon immigrant labor, mitigate the further development of social prejudices, improve the safety of our roadways, and reduce insurance costs through greater participation in vehicular insurance programs. The realization of these benefits may also send a clear and strong message to Washington, D.C. and the continental United States regarding the valuable insight Hawai'i may hold, as informed by our unique island values and rich immigrant history.

Therefore, HealthyPacific.Org respectfully urges the Committee to **PASS** HB1007.

Thank you very much for the opportunity to testify on this important measure.



**TESTIMONY IN STRONG SUPPORT OF HB 1007**

House Committee on Judiciary

Feb. 24, 2015 · 2 p.m. · Hawai'i State Legislature Conference Room 325

To: Representative Karl Rhoads, Chair

Representative Joy A. San Buenaventure, Vice Chair

Members of the House Committee on Judiciary

From: Gabriela Andrade

Co-founder, Aloha DREAM Team

On behalf of the Aloha DREAM Team, I would like to express my **strong support** for HB 1007. I recognize this bill as a public safety measure that will benefit both Hawaii residents and the millions of visitors that come to our shores each year by ensuring that all of our drivers are trained, tested and insured.

The current standards set by the REAL ID Act are a hindrance to many in our society who cannot produce the extensive documents required, for many reasons. There are many people like Mr. Washington, a lawful resident and business owner of Haleiwa, who are forced to drive without a license every day through no fault of their own. Mr. Washington, like many Hawaii residents, resides in a rural location that receives no postal service, rendering him unable to provide proof of address. In addition to lost wages during his 3 unsuccessful trips to the DMV, his inability to renew his Driver's License has had a profound impact on his quality of life since it has led him to become more isolated as to avoid driving.

Making Driver's Licenses more accessible to undocumented immigrants is another way in which HB 1007 would make our communities safer. In addition to having better trained drivers, these immigrants would be more likely to report crimes if they could show a form of ID that wouldn't give away their immigration status. One woman, Susannah, reported an accident she was involved in last June and was sent to court, where she was almost deported and separated from her husband and 3 children.

The Aloha DREAM Team urges you to **support** HB 1007 and stand with the safety of all of Hawaii's people. Mahalo for the opportunity to testify.

**Board of Directors**

Sherry Broder, Esq.  
David Derauf, M.D.  
Naomi C. Fujimoto, Esq.  
Patrick Gardner, Esq.  
John H. Johnson  
Nathan Nelson, Esq.  
David J. Reber, Esq.  
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**Executive Director**

Victor Geminiani, Esq.

Testimony of Hawai'i Appleseed Center for Law and Economic Justice  
Supporting HB 1007 Relating to Motor Vehicle Driver Licensing  
House Committee on Judiciary  
Scheduled for Hearing Tuesday, February 24, 2015, 2:00 PM, Room 325

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*Hawai'i Appleseed Center for Law and Economic Justice is a nonprofit law firm created to advocate on behalf of low-income individuals and families in Hawai'i on legal and policy issues of statewide importance. Our core mission is to help our clients access to the resources and fair treatment they need to realize their opportunities for self-achievement and economic security.*

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Thank you for the opportunity to testify in **strong support** of House Bill 1007, which would create a limited purpose driver's license, provisional license, and instruction permit that would be available to all Hawai'i residents, regardless of their ability to show proof of authorized presence in the U.S. As it stands, overly restrictive documentation requirements mean that many people in our community cannot apply for a driver's license. Providing greater access to driver's licenses will improve road safety, increase insurance coverage, promote better relations with law enforcement, and let all of our residents come into compliance with the law.

Immigrants, regardless of status, drive because they need to get to work, transport their children, take aging parents to the doctor, and engage in other basic, day-to-day activities. Regardless of one's feelings about immigration, these facts are not going to change. Especially for those in rural areas, driving is critical. We should ensure that all drivers understand traffic laws and drive safely. No one should be forced to break the law just to provide and care for their families.

Access to driver's licenses will also help the entire community by increasing insurance coverage. More licensed drivers means more insured drivers, and the expense of covering accidents involving uninsured motorists will decline and lower rates for everyone. In addition, relations with law enforcement officers will be improved. Officers will be able to quickly identify drivers during stops and efficiently check the driver's traffic and criminal records. And during emergency situations, first responders and health care providers will be better able to identify their patient.

While 3.1 percent of Hawai'i's population cannot show proof of lawful presence at all, the stringent documentation requirements create barriers for other populations, including many citizens. Low-income people are disproportionately impacted by the arduous documentation requirements. Individuals experiencing homelessness have particular difficulty maintaining their documents. Other populations affected include elders and people fleeing domestic violence situations or natural disasters—anyone who has financial or logistical challenges accessing certain documents.

A growing number of states recognize these facts—no one is any safer when people on the road lack licenses—and have identified limited purpose licenses as an effective solution. Those who seek to follow our laws should not be turned away based on their ability to provide particular documents when there are other ways to prove their identity and Hawai'i residency, and no driver should be driving unlicensed. Barring access for these residents only diminishes our safety and well-being. Creating limited purpose drivers licenses would advance social and economic justice as well as safety. Again, thank you for an opportunity to testify in **strong support** of HB 1007 to create a safer, more inclusive Hawai'i for all of our families.



## Hawai'i Coalition for Immigration Reform

*Personal Dignity, Family Unity, Civil Rights*

To: Representative Karl Rhoads, Chair  
Representative Joy A. San Buenaventura Vice Chair  
Members of the House Committee on Judiciary

From: Rev. Stanley Bain, Organizer, Faith Action for Community Equity (FACE)  
Hawai'i Coalition for Immigration Reform

Re: Testimony in Strong Support of HB1007, Relating to Motor Vehicle Driver Licensing,  
Hawai'i State Legislature House of Representatives Judiciary Committee  
Hearing on HB1007 2:00 P.M. February 24, 2015

Mahalo nui loa for the opportunity to testify in strong support of HB 1007. Since my retirement from pastoral ministry, I have enjoyed serving as a FACE community organizer with responsibility for organizing in defense of civil rights for immigrants. Our organization promotes the "Driver's Safety Act". We are in strong support of HB1007 because it will make us all safer, more secure and more viable economically.

For the past 39 years this southern boy has been privileged to live in welcoming Hawai'i and be engaged with many colleagues and friends who hailed from many countries and enriched our communities by bringing with them unique customs, values and skills. Alas, not all of them are able to fully enjoy the privileges of living in Hawai'i because current state law bars them from legally operating a motor vehicle. Immigrant women in particular bear the heavier burden since they are the primary caretakers of families. Undocumented residents on neighbor islands suffer a greater disadvantage because public transportation is not as available as on Oahu.

By providing opportunity for everyone eligible to operate a motor vehicle to be tested, licensed and insured is in my and your self-interest. As an octogenarian I am fortunate to still be strong enough and sane enough to walk across four lanes of traffic in a crosswalk. When I do so, I want to be sure that every approaching vehicle is controlled by a licensed driver. In spite of being a U. S. citizen all my life, I was incensed last year when I had to return to the Driver's License Agency three times before I was able to produce the required supporting documents in order to renew my license. The existing law places an unnecessary burden on many Hawai'i residents, regardless of immigration status.

In the fervent belief that it is the role of government to protect the minority from the tyranny of the strong, I urge your committee to pass HB1007 and work to make sure the bill moves expeditiously through the legislature until it reaches the Governor's desk undiluted. Thank you for the opportunity to provide testimony in support of HB1007.

*The Hawai'i Coalition for Immigrant Rights and Immigration Reform (HCIR) is a coalition of over seventy faith leaders, attorneys, and community organizations committed to comprehensive immigration reform. We seek policies and laws that recognize the innate dignity of all persons, respect for family unity and promote the civil rights of all of Hawaii's people.*





The Public Policy Voice for the Roman Catholic Church in the State of Hawaii

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**HEARING:** House Committee(s) on JUD, hearing on Tuesday, February 24, 2015 @ 2:00 p.m. #325

**SUBMITTED:** February 23, 2015

**TO:** House Committee on Judiciary  
Rep. Karl Rhoads, Chair  
Rep. Joy San Buenaventura, Vice Chair

**FROM:** Walter Yoshimitsu, Executive Director

The Hawaii Catholic Conference stands in **strong support of HB 1007 Relating to Motor Vehicle Drive Licensing** which would provide access to Hawaii drivers' licenses for persons who cannot show proof of authorized presence. Hawai'i needs to be part of the national effort to create practical, workable solutions, and denying certain immigrants licenses because of their immigration status is simply bad public policy. It increases rates for those without insurance, the number of unlicensed drivers, and undermines effective law enforcement<sup>i</sup>.

Currently, the paperwork requirements mean that many people cannot apply for a driver's license. For example, many lawfully present immigrants and citizens cannot apply for the driver's license they need to contribute to the economy and carry out other daily activities because of the restrictive paperwork requirements. According to a recent Migration Policy Institute report, the major difficulties faced by migrants in Hawaii include: 1) isolation, especially in the case of the Latino community, which is dispersed, 2) traveling inter-island for health-related needs and to access the services offered by the United States Citizenship and Immigration Services (biometrics to adjust one's status, etc), and 3) safely driving to work, church, run errands, or to drop children off to school. The need for drivers' licenses was established as a priority by research participants<sup>ii</sup>.

Another benefit of the bill is that it fosters community trust with law enforcement. Driver's licenses help law enforcement officers perform their jobs more safely, effectively and efficiently. They enable law enforcement officers to identify the drivers they stop, and check the driver's traffic and criminal record. In addition, licenses will assist first responders and health care providers in determining the identity of the person they are assisting.

Nationwide, state legislatures are creating and moving legislation to ensure roadway safety for all. These policies are being adopted to decrease the number of unlicensed and uninsured drivers and increase public safety. Eleven states, in addition to Puerto Rico and the District of Columbia, have enacted laws to increase access to driver's licenses.

Mahalo for the opportunity to testify.

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<sup>i</sup> <http://www.nilc.org/driverlicenses.html> (02/23/15)

<sup>ii</sup> Batalova, Jeanne, Monisha Das Gupta, and Sue Patricia Haglund. 2013. Newcomers to the Aloha State: Challenges and Prospects for Mexicans in Hawai'i. Washington, DC: Migration Policy Institute.



To: The Honorable Karl Rhoads, Chair  
The Honorable Joy A. San Buenaventura, Vice Chair  
Members, House Committee on Judiciary

From: Lyndsey Garcia, Policy & Advocacy Director

Date: February 23, 2015

Hrg: House Committee on Judiciary; Tuesday, February 24, 2015 at 2:00PM, Room 325

Re: **Strong Support for HB 525, HD2, Relating to State Parks**

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Thank you for the opportunity to offer testimony in **strong support of HB 525, HD2, and offer one recommendation to apply these prohibitions to all parks within the state.**

The Coalition for a Tobacco Free Hawai'i (Coalition) is a program of the Hawai'i Public Health Institute working to reduce tobacco use through education, policy and advocacy. Our program consists of over 100 member organizations and 2,000 advocates that work to create a healthy Hawai'i through comprehensive tobacco prevention and control efforts. The Coalition also supports the public through its smoke-free parks and beaches advocacy work at the county and state levels.

**The Coalition supports prohibiting the use of tobacco in all of Hawai'i's parks.**

HB 525, HD2, adds a new section to Chapter 184, Hawai'i Revised Statutes, which states that "Within the state park system, it shall be unlawful for any person to engage in: (1) Smoking; or (2) The use of tobacco products..." and includes "use of an electronic smoking device" within the definition of "Smoking". In order to address inconsistencies across counties and prevent confusion among tourists and residents, the Coalition recommends that tobacco, including ESD use, be prohibited in all parks within the state instead of just within the state park system.

Currently, three out of four counties have enacted smoke-free parks and beaches laws. Hawai'i County's parks and beaches went tobacco-free in 2008.<sup>1</sup> A few years later, all Honolulu City and County parks and beaches became smoke-free on January 1, 2014.<sup>2</sup> Maui County followed later that year with tobacco-free parks and beaches<sup>3</sup>. We commend the lawmakers that passed these laws and support furthering their efforts through making a consistent statewide policy.

SMS research conducted an independent poll in 2014 that shows overwhelming support, with 78% of registered voters supporting statewide smoke-free public beaches and parks.

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<sup>1</sup> Hawai'i County Code, 14-21b.

<sup>2</sup> ROH 41-21.3 amended by Bill 25 (2013) CD2 RD 1

<sup>3</sup> Maui County Code 13.040.20 amended by Ord 4120



**Secondhand smoke has killed 2.5 million Americans and should be eliminated.**

Secondhand smoke is dangerous; the 50<sup>th</sup> Anniversary U.S. Surgeon General Report released on January 17, 2014 states that any level of exposure to secondhand smoke is dangerous and can be harmful and over 2.5 million people have died from secondhand smoke.<sup>4</sup> The International Agency for Research on Cancer and the U.S. Environmental Protection Agency both note that environmental tobacco smoke (or secondhand smoke) is carcinogenic to humans. Secondhand smoke contains 7,000 identifiable chemicals, 69 of which are known or probable carcinogens.

Growing scientific evidence shows that secondhand smoke has a harmful effect on air quality in some outdoor settings. Studies have shown that when people are in close proximity to each other, the levels of exposure to secondhand smoke can be comparable to secondhand smoke levels measured within enclosed spaces.<sup>5</sup>

By passing HB 525, HD2, exposure to secondhand smoke will decrease, creating a healthy environment for the State. These laws should be applied consistently across all parks within the state to protect the public health of residents and tourists alike.

Thank you for the opportunity to testify on this matter.

Respectfully,

A handwritten signature in black ink that reads "Lyndsey Garcia". The signature is written in a cursive, flowing style.

Lyndsey Garcia  
Policy and Advocacy Director

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<sup>4</sup> U.S. Department of Health and Human Services. (2014). "The Health Consequences of Smoking – 50 Years of Progress: A Report of the Surgeon General." Atlanta, GA: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health.

<sup>5</sup> Global Smokefree Partnership. (2009). "The Trend Toward Smokefree Outdoor Areas." Accessed from <http://www.globalsmokefree.com/gsp/resources/recurso.php?id=225> on May 6, 2013.

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Heather Lusk	The CHOW Project	Support	No

Comments: Many immigrants in Hawaii – including those who are lawfully present and are citizens – are unable to obtain a legal driver’s license due to current paperwork requirements. When individuals are unable to obtain a license, yet continue to drive to carry out their daily activities, this places the safety of the community at risk. According to the American Automobile Association, unlicensed drivers are nearly five times more likely to be involved in a fatal car crash than licensed drivers. In addition, unlicensed, uninsured drivers cause damage claims that other policy holders must cover. Nationally, 11 states, as well as Puerto Rico and the District of Columbia, have enacted legislation that provides access to a driver’s license or card regardless of immigration status. Increasing access not only ensures more licensed drivers on the roads, but also results in a decrease in uninsured drivers. Since New Mexico began issuing licenses to undocumented immigrants in 2003, its rate of uninsured motorists fell from 33% to 9%.

Submitted By	Organization	Testifier Position	Present at Hearing
Kat Brady	Individual	Support	Yes

Comments: Please support.

Submitted By	Organization	Testifier Position	Present at Hearing
Deanna Espinas	Individual	Support	Yes

Comments:

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Darlene Rodrigues	Individual	Support	No

Comments: I write on STRONG support of this measure. Expanding access to driver's licenses to ALL Hawaii residents regardless of immigration status is an important safety measure that also helps ALL people in Hawai'i. Let's help create safer roads for EVERYONE! I STRONGLY urge you to pass this measure. Mahalo for the opportunity to testify.

Submitted By	Organization	Testifier Position	Present at Hearing
Joel Mark	Individual	Support	No

Comments: A good common sense measure! Please pass this bill.



<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Wayne	Individual	Support	No

Comments: Aloha mai Chair Rhoads, Vice Chair San Buenaventura, and members of the Judiciary Committee, This measure has been carefully crafted to ensure minimal administrative costs and no loss in federal REAL ID Act funding. Moreover, this bill will provide significant convenience to residents, who may now obtain drivers licenses and auto insurance, as well as state proof of I.D., without scrounging around for the current required documents under the REAL ID Act (birth certificates, social security cards, etc.). There will be no changes to the processes for obtaining regular licenses that comply with the REAL ID Act's stringent requirements, and these licenses will still remain good for interstate travel purposes. This is a more than reasonable and well-considered compromise measure that has no credible argument against enacting it. Please carefully consider this measure and allow it to move forward in the legislative process. me ka ha'a ha'a, Wayne Tanaka Honolulu, HI 96825

STATE OF HAWAII

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# A BILL FOR AN ACT

RELATING TO MOTOR VEHICLE DRIVER LICENSING.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

SECTION 1. This Act shall be known and may be cited as the Drivers Safety Act.

SECTION 2. Under the federal REAL ID Act of 2005, Pub. L. No. 109-13, states are required to comply with federally mandated eligibility criteria in issuing driver's licenses, including requiring proof of lawful presence in the United States. As a consequence, an individual who does not submit satisfactory evidence of lawful presence cannot legally operate a motor vehicle. The REAL ID Act, however, does allow states to issue specialized driver's licenses that are not subject to the minimum documentary requirements for limited non-federal purposes. Adopting this allowance is critical. Since 2010, when the State implemented the federal law's restrictive requirements for proof of authorized presence, the reality has become that a significant number of Hawaii residents who do not

possess the necessary documentation are operating motor vehicles without a license, and thus without the mandatory insurance, in order to perform essential daily activities.

The heightened documentary requirements unduly burden elderly individuals, houseless individuals, undocumented immigrants, lawfully-present nonimmigrants, and survivors of gender-based violence. The lack of access to licensure hinders the ability of these residents, regardless of their status, to drive safely, legally, and with mandatory motor vehicle insurance while engaging in everyday activities such as going to work or to church, running errands, dropping-off children at school, and taking family members to medical appointments. As women are often the primary caretakers of children, they bear a disproportionate impact of the federal law.

In recent years, there has been a significant increase in state efforts to expand access to driver's licenses for persons who cannot provide proof of authorized presence. Ten states, including California, Connecticut, Illinois, and Maryland, plus Washington, D.C., and Puerto Rico, now grant access to a driver's license regardless of immigration status, requiring instead that the applicant establish evidence of current residency in the respective jurisdiction. Two of those states, New Mexico and Washington, have successfully operated programs to allow full driving privileges to residents without

documentation of authorized presence for more than a decade and two decades, respectively. In 2014, similar legislation was considered in Hawaii but, ultimately, was not enacted.

The legislature finds that prohibiting access to driver's licenses for a significant portion of Hawaii's residents through restrictive documentary requirements poses a serious threat to the safety of the people of this State. It is clear that the current law needs to be revised and updated to allow for proper review and certification of all motorists in Hawaii, including resident immigrants without documentation of authorized presence. Allowing all age-qualifying residents to obtain limited purpose driver's licenses will improve public safety by ensuring that all drivers are tested for driving skills and able to acquire motor vehicle insurance.

It is not the legislature's intent for this Act to endanger the State's compliance with federal law, including the REAL ID Act. Issuing restricted driver's licenses for the limited purpose of driving a motor vehicle, as long as the licenses are clearly marked as not acceptable for federal identification or other official federal purposes, is permissible under section 202 of the REAL ID Act and will not jeopardize the State's eligibility for federal grants or funding. The limited purpose driver's licenses authorized by this Act will have unique markings that comply with the federal law.

The purpose of this Act is to enable the appropriate licensing authority in each county to issue uniquely identified limited purpose driver's licenses, provisional driver's licenses, and instruction permits to residents who meet the other qualifications for licensure or permit and provide satisfactory proof of their identity and state residency.

SECTION 3. Chapter 286, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

**"§286- Limited purpose driver's license, provisional driver's license, and instruction permits. (a) Notwithstanding section 286-104(7) to the contrary, every person who submits an application for a driver's license, provisional driver's license, or instruction permit that satisfies the requirements of this chapter except for the applicant's inability or refusal to provide satisfactory proof of authorized presence in the United States under federal law shall be issued a limited purpose driver's license, a limited purpose provisional driver's license, or a limited purpose instruction permit that is uniquely identified in compliance with the REAL ID Act of 2005 upon provision of satisfactory proof to the examiner of drivers of the applicant's identity and residency in the State. The examiner of drivers shall accept various types of documentation for the purpose of establishing the applicant's identity and**

residency in the State, which may be established by more than one document. Acceptable documentation includes:

- (1) A valid, unexpired consular identification document issued by a consulate from the applicant's country of citizenship or a valid, unexpired passport from the applicant's country of citizenship;
- (2) An original birth certificate or other proof of age, as designated by the examiner of drivers;
- (3) A current home utility bill, lease, or rental agreement, or deed or title to real property in the State, as designated by the examiner of drivers;
- (4) A United States Department of Homeland Security Form I-589, Application for Asylum and for Withholding of Removal;
- (5) An official school or college transcript that includes the applicant's date of birth or a foreign school record that is sealed and includes a photograph of the applicant at the age the record was issued;
- (6) An official school or college identification card that includes the applicant's full name and a photograph of the applicant at the time the identification was issued;
- (7) A United States Department of Homeland Security Form I-20 or Form DS-2019;

- (8) A United States Customs and Immigration Services  
Deferred Action for Childhood Arrival Approval Letter;
- (9) A valid identification card for health benefits;
- (10) A valid identification card for an assistance or  
social services program;
- (11) A current voter registration card issued by the State;
- (12) A wage stub issued in the last six months;
- (13) An income tax return filed in the last two years;
- (14) A social security card;
- (15) One of the following documents which, if in a language  
other than English, shall be accompanied by a  
certified translation or an affidavit of translation  
into English:
  - (A) Marriage license or divorce certificate;
  - (B) Foreign federal electoral photo card issued on or  
after January 1, 1991;
  - (C) Foreign student identification card; or
  - (D) Foreign driver's license; or
- (16) Other proof of Hawaii residency as designated by the  
director.

(b) Except as otherwise provided in this subsection, every  
application under this section shall be made upon the form and  
in the manner required by section 286-111, and shall be  
accompanied by the fee established for non-limited purpose

licenses or permits pursuant to section 286-111. The examiner of drivers shall not require any applicant under this section to furnish information regarding the applicant's eligibility or ineligibility for a social security number. The examiner shall not disclose the identity of any applicant who does not provide a social security card or social security number.

(c) Every limited purpose driver's license, limited purpose provisional driver's license, and limited purpose instruction permit issued pursuant to this section shall on its face and machine readable zone bear the phrase, "Not acceptable for official federal purposes", on its reverse bear the phrase, "This license is issued only as a license to drive a motor vehicle. It does not establish eligibility for employment, voter registration, or public benefits", and be of a unique design or color indicator that clearly distinguishes them from the State's compliant driver's license, provisional driver's licenses and instruction permits. If the United States Department of Homeland Security determines that limited purpose licenses or permits issued pursuant to this section do not satisfy the requirements of Section 37.71 of Title 6 of the Code of Federal Regulations, adopted pursuant to paragraph (11) of subdivision (d) of Section 202 of the Real ID Act of 2005, Public Law 109-13, the examiner of drivers, under the direction of the department, shall modify the limited purpose licenses and



permits issued pursuant to this section only to the extent necessary to satisfy the requirements of the federal law.

(d) Every limited purpose driver's license and limited purpose provisional driver's license shall expire in accordance with section 286-106, and every limited purpose instruction permit shall expire in accordance with section 286-110.

(e) A limited purpose driver's license or limited purpose provisional driver's license may be renewed in accordance with section 286-107 and reactivated in accordance with section 286-107.5. A limited purpose instruction permit may be renewed in accordance with section 286-110.

(f) It shall be a violation of law to discriminate against a person because the person applied for, was denied, was issued, holds, or presents a limited purpose driver's license, limited purpose provisional driver's license, or permit.

(g) A limited purpose license or limited purpose instruction permit issued pursuant to this section shall not be used to consider a person's citizenship or immigration status as a basis for a criminal investigation, arrest, or detention.

(h) Documents and information collected pursuant to an application for, denial of, or issuance of a limited purpose driver's license, limited purpose provisional driver's license, or limited purpose instruction permit shall be confidential and

shall not be disclosed by the examiner of drivers or the department except as required by law.

- (i) The director shall adopt rules in accordance with chapter 91 to implement the requirements of this section."

SECTION 4. Section 286-102, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

- "(a) No person, except one ~~[exempted]~~:
- (1) Exempted under section 286-105[~~, one who~~];
  - (2) Who holds an instruction permit under section 286-110[~~, one who~~];
  - (3) Who holds a limited purpose license, limited purpose provisional license, limited purpose instruction permit under section 286- ;
  - (4) Who holds a provisional license under section 286-102.6[~~, one who~~];
  - (5) Who holds a commercial driver's license issued under section 286-239 [~~, or one who~~]; or
  - (6) Who holds a commercial driver's license instruction permit issued under section 286-236,

Shall operate any category of motor vehicles listed in this section without first being appropriately examined and duly licensed as a qualified driver of that category of motor vehicles."

SECTION 5. Section 286-110, Hawaii Revised Statutes is amended by amending subsection (a) to read as follows:

"(a) Any person aged fifteen years and six months or more who, except for the person's lack of instruction in operating a motor vehicle, would be qualified to obtain a driver's license issued under this part may apply for a temporary instruction permit or a limited purpose instruction permit at the office of the examiner of drivers in the county in which the applicant resides; provided that the applicant complies with section 286-102.5."

SECTION 6. Section 286-111, Hawaii Revised Statutes, is amended as follows:

1. By amending subsection (a) to read:

"(a) Every application for an instruction permit, provisional license, ~~or~~ driver's license, limited purpose driver's license, limited purpose provisional driver's license, or limited purpose instruction permit shall be made upon a form furnished by the examiner of drivers and shall be verified by the applicant before a person authorized to administer oaths. The examiner of drivers and officers serving under the examiner may administer the oaths without charge. Each application for an instruction permit for a category (1), (2), (3), or (4) license shall be accompanied by a fee to be determined by the council of each county, and each application for a provisional

license or driver's license shall be accompanied by the fee, unless the applicant has already paid the fee upon application for an instruction permit in the same county, in which event no fee shall be charged. An additional fee to be determined by the council of each county shall be charged and collected upon the issuance of a provisional license or driver's license. All of the foregoing fees shall become county realizations."

2. By amending subsection (e) to read:

"(e) ~~[If]~~ Except as provided in section 286- , if the applicant is not eligible to receive a social security number, the applicant shall submit, in lieu of providing proof of social security number pursuant to subsection (d):

(1) A United States Social Security Administration letter stating that the applicant is ineligible to obtain a social security number; and

(2) Either:

(A) A government-issued photo identification document;  
or

(B) Other identification documents as deemed acceptable by the director."

SECTION 7. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun before its effective date.

SECTION 8. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 5. This Act shall take effect on January 1, 2016.

INTRODUCED BY: \_\_\_\_\_

**Report Title:**

Driver's Licenses; Proof of Authorized Presence

**Description:**

Authorizes the issuance of limited purpose driver's licenses, provisional licenses, and instruction permits for individuals who are otherwise eligible for a license or permit but do not present proof of authorized presence in the United States.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

**LATE**



# HAWAI'I CIVIL RIGHTS COMMISSION

830 PUNCHBOWL STREET, ROOM 411 HONOLULU, HI 96813 · PHONE: 586-8636 FAX: 586-8655 TDD: 568-8692

February 24, 2015  
2:00 p.m.  
Conference Room 325

To: The Karl Rhoads, Chair  
and Members of the House Committee on Judiciary

From: Linda Hamilton Krieger, Chair  
and Commissioners of the Hawai'i Civil Rights Commission

Re: H.B. No. 1007

The Hawai'i Civil Rights Commission (HCRC) has enforcement jurisdiction over state laws prohibiting discrimination in employment, housing, public accommodations, and access to state and state-funded services. The HCRC carries out the Hawai'i constitutional mandate that "no person shall be discriminated against in the exercise of their civil rights because of race, religion, sex or ancestry". Art. I, Sec. 5.

H.B. No. 1007, if enacted, would amend HRS Chapter 286, to authorize the issuance of provisional or limited purpose driver's licenses to persons who do not have Social Security Numbers or proof that his or her presence in the United States is authorized by federal law. The HCRC strongly supports H.B. No. 1007.

The HCRC opposes ancestry and race-based discrimination associated with attacks on and denial of rights to undocumented immigrants. It is good public policy that that these residents who are undocumented immigrants be granted licenses to operate motor vehicles, making for improved road safety, with these drivers being qualified through written examinations and road tests, and should result in higher rates of insured drivers on the road. This will help to bring these residents out of the shadows and improve public safety.

The HCRC urges enactment of H.B. No. 1007, with an expression of legislative intent that the provisional or limited purpose driver's licenses be available wherever regular driver's licenses are available.



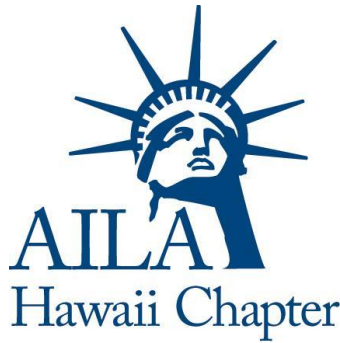
**LATE**

**HAIR**

*Clare Hanusz, Esq.*  
1003 Bishop Street, Suite 1600  
Honolulu, HI 96813  
Tel. (808) 531-8031  
[cmh@hawaiilawyer.com](mailto:cmh@hawaiilawyer.com)

**VICE CHAIR**

*Asako C. Shimazu, Esq.*  
737 Bishop Street, Suite 2100  
Honolulu, HI 96813  
Tel. (808) 524-7616  
[acs@charhamilton.com](mailto:acs@charhamilton.com)



**TREASURER**

*Jennifer A. Jung, Esq.*  
P.O. Box 3950  
Honolulu, HI 96812  
Tel. (808) 536-8826  
[jejung@lashaw.org](mailto:jejung@lashaw.org)

**SECRETARY**

*Stella Shimamoto, Esq.*  
735 Bishop Street, Suite 402  
Honolulu, HI 96813  
Tel. (808) 587-9600  
[stella.shimamoto.esq@gmail.com](mailto:stella.shimamoto.esq@gmail.com)

February 23, 2015

Chair Karl Rhodes  
Vice-Chair Joy A. San Buenaventura  
Members of the House Committee on Judiciary

Hearing Date and Time: 02-24-2015 2:00 PM

Place: Conference Room 325

RE: HB 1007 – STRONG SUPPORT

We write in strong support of HB 1007 which would provide access to Hawaii drivers' licenses for persons who cannot show proof of "legal" presence or who are not given a Social Security number, if additional documentation regarding identity is provided.

HB 1007 is vital to ensuring roadway safety for pedestrians, residents of and visitors to Hawaii. Ensuring that everyone who drives on our roads and highways is trained, tested, and insured promotes public safety, safer communities and economic participation.

Currently, the documentation requirements mean that many people are not eligible for a Hawaii driver's license. For example, even many lawfully present foreign and US citizens are not eligible for the driver's license which they need to work and to carry out other daily activities because of the restrictive documentation requirements.

According to a recent Migration Policy Institute report, the major difficulties faced by migrants in Hawaii include: 1) isolation, 2) traveling inter-island for health-related needs and to access the services offered by the United States Citizenship and Immigration Services (biometrics in connection with an application), and 3) safely driving to work, to church, to run errands, or to drop children off to school. The need for driver's licenses was established as a priority by research participants.

Unlicensed, uninsured drivers cause damage claims that other policy holders must cover. If these drivers can get licensed and insured, the cost of covering accidents involving uninsured motorists will decline, and everyone will pay lower insurance rates. Nationwide, state legislatures are creating and moving legislation to ensure roadway safety for all. These policies are being adopted to decrease the number of unlicensed and uninsured drivers and to increase public safety.

As an association of immigration lawyers, we see people with two distinct issues: one group of people does not have proof of "legal presence" yet has the need to drive legally. The second group has lawful presence under US immigration law, and yet the way the current law is being enforced to show the "legal presence" requirement is overly restrictive. Take the example of an engineer who is in H-1B nonimmigrant status working for a local engineering firm. His petition to extend his H-1B status is pending with US Citizenship & Immigration Services, and under the USCIS regulations, he is allowed to continue to work and to live in the US while his petition is pending. However, DMV refuses to issue him a renewal on his license, even with the original receipt showing that his extension is pending with USCIS. Here's another example: a nursing student graduate of a local university who is here during the grace period after her Optional Practice Training work authorization has expired and who has married a US citizen. She has filed an application for adjustment of status and may have to wait as many as 90 days for her work authorization to be renewed by USCIS. Both people in these examples have lawful presence, but both are being shut out of drivers' license renewals, even under the current law.

Thank you for the opportunity to testify.

Aloha,

AMERICAN IMMIGRATION LAWYERS ASSOCIATION - HAWAII CHAPTER

Clare M. Hanusz  
Chair

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<sup>1</sup> Batalova, Jeanne, Monisha Das Gupta, and Sue Patricia Haglund. 2013. Newcomers to the Aloha State: Challenges and Prospects for Mexicans in Hawai'i. Washington, DC: Migration Policy Institute.

# Filipino American Citizens League

**LATE**

Jake Manegdeg, President  
P. O. Box 270126 ★ Honolulu, Hawai'i 96827

## TESTIMONY IN STRONG SUPPORT OF HB 1007

House Committee on Judiciary

Feb. 24, 2015 · 2 p.m. · Hawai'i State Legislature Conference Room 325

To: Honorable Rep. Karl Rhoads, Chair  
Honorable Rep. Joy A. San Buenaventura, Vice Chair  
Honorable Members of House Judiciary Committee

From: Charlene Cuaresma, Vice President, Filipino American Citizens League

Description: Authorizes the issuance of limited purpose driver's licenses, provisional licenses, and instruction permits for individuals who are otherwise eligible for a license or permit but do not present proof of authorized presence in the United States.

My name is Charlene Cuaresma. As vice president of the Filipino American Citizens League, I am very proud to strongly support this bill. The League was formed over ten years ago to contribute to the advancement of civil rights and social justice for minority groups, underserved populations, and vulnerable communities through education, advocacy, and social action.

The League sends you our appreciation for hearing this bill. We support this bill because it provides safeguards to ensure that all drivers, including individuals without proper immigration documentation, are offered to produce other forms of documentation, in order to access driver's license training, car insurance, and be held accountable for public safety.

Thank you for the opportunity to speak up, in hopes of pointing our civil society in the direction of strengthening people's ability to participate more fully and responsibly in the daily tasks of acquiring food, shelter, clothing, transportation, health, education and more for themselves, their families, and others. The vitality of Hawai'i's communities and economy depends on our ability to be inclusive for the benefit of all.

Sincerely,

Charlene Cuaresma  
Vice President  
Filipino American Citizens League

**LATE**



## **TESTIMONY IN STRONG SUPPORT OF HB 1007**

House Committee on Judiciary

Feb. 24, 2015 · 2 p.m. · Hawai'i State Legislature Conference Room 325

To: Honorable Rep. Karl Rhoads, Chair  
Honorable Rep. Joy A. San Buenaventura, Vice Chair  
Honorable Members of House Judiciary Committee

From: Rouel Velasco, Chair  
National Federation of Filipino American Associations Region 12

Description: Authorizes the issuance of limited purpose driver's licenses, provisional licenses, and instruction permits for individuals who are otherwise eligible for a license or permit but do not present proof of authorized presence in the United States.

My name is Rouel Velasco, Chair, NaFFAA Region 12, which strongly supports this bill. NaFFAA Region 12 represents the interests of Filipinos in Hawai'i, Guam, and the Commonwealth of Northern Marianas Islands. We are an affiliate of the National NaFFAA. Washington policy-makers, private industry and national advocacy groups recognize NaFFAA as the Voice of Filipinos and Filipino Americans throughout the United States. We are a non-partisan, non-profit national affiliation of more than five hundred Filipino-American institutions and umbrella organizations that span twelve regions throughout the continental United States and U.S. Pacific territories.

NaFFAA supports the intent of this bill, which is to protect the public with an inclusive policy that offers undocumented immigrants to get a driver's license. That will allow them to drive to work, bring their family members to school, to the doctor's, go grocery shopping, be responsibly engaged in the daily transactions of commerce, and more. This will be in the public's best interest, because it will increase accountability and opportunity for people without federally required identification sources to use alternative forms of identification in order to apply for a drivers license. We also agree with the bill's comprehensive public safety provisions included.

Thank you for hearing this bill and for the opportunity to submit our strong support.

Sincerely,

Rouel Velasco, Chair, NaFFAA Region 12



Hawai'i Friends for Civil Rights  
Amy Agbayani, Co-Founder & President  
c/o 3432 B2 Kalihi Street, Honolulu, HI 96819

**TESTIMONY IN STRONG SUPPORT OF HB 1007**

House Committee on Judiciary

Feb. 24, 2015 · 2 p.m. · Hawai'i State Legislature Conference Room 325

To: Honorable Rep. Karl Rhoads, Chair  
Honorable Rep. Joy A. San Buenaventura, Vice Chair  
Honorable Members of the House Judiciary Committee

From: Amy Agbayani, Ph.D., Co-Founder & President  
Hawai'i Friends for Civil Rights

Description: Authorizes the issuance of limited purpose driver's licenses, provisional licenses, and instruction permits for individuals who are otherwise eligible for a license or permit but do not present proof of authorized presence in the United States.

As the co-founder and president of Hawaii Friends of Civil Rights, I submit strong support for this bill. HFCR is a group dedicated to fulfilling the work of the late Dr. Martin Luther King, Jr. by addressing disparities and discrimination through the promotion of change agents for social justice through education, service and advocacy.

HFCR strongly supports this bill that would enable persons who are ineligible to receive a social security number to show other documentation in order to apply for a driver's license. Concerns over public safety are addressed in this bill. The benefits of registering all drivers in the DMV provides protections to public safety by increasing the number of trained, tested and accountable drivers. Everyone stands to benefit from an inclusive system that promotes civic responsibility, enables people to participate fully in the daily transactions of commerce, and encourages people to care for one another. Surely, if eleven other states with large immigrant populations have already benefitted from the prudence of enacting drivers license laws, Hawai'i can implement those best policy and management practices, as well.

Thank you for hearing this bill, and for the opportunity to provide our full support in your consideration of its passage.

Very Sincerely,

Amy Agbayani, Ph.D.  
Co-Founder and President, Hawai'i Friends of Civil Rights



## ***Nursing Advocates & Mentors, Inc.***

**LATE**

*...it organization with a mission to address the global nursing shortage by  
...ance and assistance for nursing colleagues to obtain their professional  
...ing.*

*NAMI, P.O. Box 2034 Aiea, HI 96701*

*E-mail: bramosrazon@aol.com*

### **TESTIMONY IN STRONG SUPPORT OF HB 1007**

House Committee on Judiciary

Feb. 24, 2015 · 2 p.m. · Hawai'i State Legislature Conference Room 325

To: Honorable Rep. Karl Rhoads, Chair  
Honorable Rep. Joy A. San Buenaventura, Vice Chair  
Honorable Members of House Judiciary Committee

From: Beatrice Ramos-Razon, RN, FACDONA  
Co-Founder & President, Nursing, Advocates & Mentors, Inc.

Description: Authorizes the issuance of limited purpose driver's licenses, provisional licenses, and instruction permits for individuals who are otherwise eligible for a license or permit but do not present proof of authorized presence in the United States.

My name is Beatrice Ramos-Razon. As the founder and president of NAMI (Nursing Advocates & Mentors, Inc.), I am proud to submit our strong support for this bill. NAMI's membership is comprised of over 75 volunteer nurses, instructors, allied health care professionals, and Filipino leaders, who are dedicated to improve the health of Hawai'i's people through education, mentoring, advocacy and service.

NAMI strongly supports this bill, because this measure offers a viable solution. It will reduce the financial burdens and risks on society due to traffic accidents that are aggravated when a significant segment of individuals drive without a license, and under the radar of accountability. The state of New Mexico has demonstrated that since 2003, when undocumented immigrants were issued drivers licenses, the rate of uninsured motorists fell from 33% to 9%. Hawai'i could likewise benefit.

Thank you for hearing this bill, and for the opportunity to share the hope that disenfranchised individuals and families can be strengthened by leaders like you, in order to become viable and accountable stakeholders for public safety and well-being.

Sincerely,

Beatrice Ramos-Razon, RN, FACDONA  
President, Nursing Advocates and Mentors, Inc.

**LATE**

**Hawai'i Coalition for  
Immigration Reform**

*Personal Dignity, Family Unity, Civil Rights*



To: Representative Karl Rhoads, Chair  
Representative Joy A. San Buanaventura Vice Chair  
Members of the House Committee on Judiciary

From: Rev. Stanley Bain, Organizer, Faith Action for Community Equity (FACE)  
Hawai'i Coalition for Immigration Reform

Re: Testimony in Strong Support of HB1007, Relating to Motor Vehicle Driver Licensing,  
Hawai'i State Legislature House of Representatives Judiciary Committee  
Hearing on HB1007 2:00 P.M. February 24, 2015

Mahalo nui loa for the opportunity to testify in strong support of HB 1007. Since my retirement from pastoral ministry, I have enjoyed serving as a FACE community organizer with responsibility for organizing in defense of civil rights for immigrants. Our organization promotes the "Driver's Safety Act". We are in strong support of HB1007 because it will make us all safer, more secure and more viable economically.

For the past 39 years this southern boy has been privileged to live in welcoming Hawai'i and be engaged with many colleagues and friends who hailed from many countries and enriched our communities by bringing with them unique customs, values and skills. Alas, not all of them are able to fully enjoy the privileges of living in Hawai'i because current state law bars them from legally operating a motor vehicle. Immigrant women in particular bear the heavier burden since they are the primary caretakers of families. Undocumented residents on neighbor islands suffer a greater disadvantage because public transportation is not as available as on Oahu.

By providing opportunity for everyone eligible to operate a motor vehicle to be tested, licensed and insured is in my and your self-interest. As an octogenarian I am fortunate to still be strong enough and sane enough to walk across four lanes of traffic in a crosswalk. When I do so, I want to be sure that every approaching vehicle is controlled by a licensed driver. In spite of being a U. S. citizen all my life, I was incensed last year when I had to return to the Driver's License Agency three times before I was able to produce the required supporting documents in order to renew my license. The existing law places an unnecessary burden on many Hawai'i residents, regardless of immigration status.

In the fervent belief that it is the role of government to protect the minority from the tyranny of the strong, I urge your committee to pass HB1007 and work to make sure the bill moves expeditiously through the legislature until it reaches the Governor's desk undiluted. Thank you for the opportunity to provide testimony in support of HB1007.

*The Hawai'i Coalition for Immigrant Rights and Immigration Reform (HCIR) is a coalition of over seventy faith leaders, attorneys, and community organizations committed to comprehensive immigration reform. We seek policies and laws that recognize the innate dignity of all persons, respect for family unity and promote the civil rights of all of Hawaii's people.*

February 23, 2015

Thank you for taking the time to consider this testimony. As an educator, I see the daily challenges faced by COFA migrants in our community. There are challenges in education, housing, health care, discrimination, and other factors. When I learned that the #1 reason why COFA migrants are arrested was because of driving without a license, I committed to learning why.

I spoke with leaders of community groups and dozens of COFA migrants themselves. Over and over, I heard about how they or someone they know had lost their I-94 and could not afford the fee to apply for a new one. Without this I-94, they could not apply for a driver's license. But, they needed to drive to get to work, school, church, and other locations. During these trips, some have been pulled over for traffic infractions. Rather than receive a traffic ticket, they were also cited for driving without a license. This has resulted in the incarceration of many, many COFA migrants. By offering a State Driver's License, rather than needing to follow the federal requirements, COFA migrants can gain access to this important key to community life. Most COFA migrants I have spoken with want to be a part of community life, but have struggled to find their place in Hawaii. Passing this bill would offer a leg up for a group of people who are struggling but trying to do their best.

On a purely practical level, it makes sense for Hawaii to offer its own driver's licenses. We do not have highways to join us with other states. Thus, drivers rarely would need to use this license across state lines. For those who travel to the Mainland, they will need to apply for a federally-recognized license anyway to gain entry on an airplane.

Thank you for considering this testimony as you decide how you will vote on this bill.

Sincerely,

Natalie Nimmer  
Hawaii Coalition for Immigrant Rights (HCIR)  
Faith Action for Community Equity (FACE)  
Harris United Methodist Church